

## SAYS LITTLE GIRL PURSUED HUBBARD

Judge Powers' Statement for the Defense.

## PLOT TO EXTORT MONEY

GIRL WENT TO HUBBARD'S ROOM UNINVITED.

The prosecution in the Hubbard case rested yesterday afternoon at 3 o'clock, and the defense had a fair start on its testimony when the premature report that President McKinley was dead caused an adjournment at 4:15 o'clock until 10 o'clock this morning.

The feature of the day's proceedings was Judge Powers' statement of the defense. He promises to show that Hubbard is the victim of a conspiracy between Mrs. Knox and Mrs. George to extort money. One statement the attorney made was that he will prove by deputy sheriffs that Helen Knox was beaten with a strap by her mother because she did not tell a straight story after she (Mrs. Knox) had taught it to her.

When court convened at 10 a. m. the Knox girl was recalled for further cross-examination by Judge Powers. The latter followed very closely a transcript of the girl's testimony at the preliminary hearing, asking her if she testified to certain things. The witness seemed much confused on dates and grew steadily more confused as answers in a nonchalant manner, as though she did not understand half that was said to her and cared very little. Except her story on direct examination, in fact, there was nothing tangible in the girl's testimony.

She was still on the stand when, at 11:45, a report reached the court room that the president was dead. Judge Powers very impressively made the announcement and suggested that a recess be taken at once until 2 o'clock. Judge Stewart acquiesced, it proved later that the report was untrue.

Upon resuming court, Judge Powers continued his questioning of the little girl, but excused her shortly afterwards.

Dr. King was called for the state. He testified to having examined the girl shortly after the alleged assault, and the result, as stated in court, was of no more advantage to the state than to the defense.

Mrs. Hannah Humphreys, the colored woman formerly employed at the Realty block, testified to having seen through the transom, from the room adjoining Hubbard's, the crime complained of.

Judge Powers declined to cross-examine Mrs. Humphreys, and the state here rested its case.

Statement of Defense.

Judge Powers approached the jury box and began to outline the defense. He referred to Hubbard as a prominent business circles and his good character, and directed the attention of the jury to the witness standing by Judge Powers, in effect, as follows:

Hubbard first saw Helen Knox with Mattie Thompson on the Sunday previous to his arrest. They came to take them to the Sanitarium, and he gave them the price to go. When he went in the afternoon, he found he sent them out, as the girls had been some time. On the day of the alleged crime, the Knox girl came to his room of her own concern and was running around in some bureau drawers. She told him her mother wanted to see him and rent him a room. Hubbard objected to the girl's conduct in getting into things and observed that she had on a bracelet, one of a pair lying on his dresser. She refused to put it up and he took it from her by force. While he was doing so she cried, "Stop, stop; you hurt me!" She ran out and he left the building, not before observing that the second bracelet was missing.

Could Not See Bed.

The defense promised to show that it was too dark at the time the Knox girl was in the room to see the bed through the mirror, and that it was a physical impossibility to see the bed itself from the transom in the room.

The view, in any event, would be obstructed by things that were piled on the wardrobe in the room. Mrs. Lawrence looked through the transom afterwards, in the presence of Ella Jensen, and declared she could see nothing. The girl was sent to Hubbard's room by her mother. The story was taught her carefully by the mother and Mrs. Knox told her several times, "whipped, in the presence of and over the protest of Ella Jensen, because she could not tell it straight. Deputies who were put in the Knox house by the prosecution heard the child scream as she was being whipped on one such occasion, and the mother was heard to make threats of a serious character against the child."

Judge Powers' statement was concise and dealt with every particular and many new features of the case, which will be brought out as the trial proceeds.

The first witness called by the defense was Weather Observer L. H. Murdoch. He testified by means of his records that the sun sank behind a bank of clouds early in the day on Sept. 9, and gave other particulars regarding the weather on that day.

Contractor James D. Vidson testified that he was with Hubbard until after 7:15 on the evening of Sept. 9, the purpose being to show that it was after that time when Hubbard went to his room, and, therefore, almost dark.

Just as the witness was excused, word was brought in that the president had passed away, and the adjournment until this morning occurred.

RICHARD MACKAY'S VISIT.

Old Utah Resident Spending a Few Days in Salt Lake.

Richard Mackay, an old resident of Salt Lake City, now located at Frankfort, Kan., where he is operating a large farm, is a local visitor to enjoy the scenes of the city and the lake.

Mackay is a guest of the city and is accompanied by his daughter, Alice, and his sister-in-law, Miss Mamie Brannon, of Wheaton, Kan. He came to Salt Lake City early in the "twenties" and for a number of years made a thorough study of the city and its surroundings.

Mr. Mackay's visit recalls a tragedy of a few years ago, when James Quinn shot and killed his wife and himself. Mrs. Quinn was a sister of Mackay, and one of the purposes of his trip to Utah is to visit the children of the couple, his nephew and niece, who live at Park City. Old friends will be pleased to know that the visitor is prospering in his Kansas home, and escaped the results of the terrible drought that destroyed the crops of a great part of that state.

LOST HER MOTTER.

Birdie Daniel Wants Information Concerning Her Parent.

Postmaster A. L. Thomas is on a still hunt for a local woman, unknown to him, who has long been separated from her relatives and is now being sought by them. Yesterday he was the recipient of the following communication:

"Postmaster, Salt Lake City, Utah: I wish to find my mother. She left Texas some time ago and went to Salt Lake City. Her maiden name was Galt, and

there she married Benjamin Daniel, my father. They parted when I was but a child. She then went to Salt Lake City and married again. I do not know by name now, but am most anxious to find her. Will you have this sent to her leading newspaper, and it may reach her. If it does, I want her to write to Mrs. M. L. Pierce, Rowell N. E. Respectfully, BIRDIE DANIEL."

## JEWISH NEW YEAR.

Observed as Holiday and Special Services Held.

Rosh Hashona, or Jewish New Year, being the beginning of the 5,663rd year, according to the Jewish calendar, commenced last evening at 6 o'clock and will continue until that hour tonight.

The Jewish New Year, as it is called in the Old Testament is a day of memorial and of blowing the trumpet; that is, a day on which the deeds of the past year are to be recalled to the memory and the bugle call of warning sounded for the year to come.

In honor of the event, services were held last night at the temple B'nai Israel, where the following took part: Rabbi Louis G. Reynolds and the singing of the traditional music by Mrs. Anderson, Mrs. Andrews, Miss Dwyer, Messrs. Cooper, Sands and Ashworth.

In his sermon, Rabbi Reynolds emphasized that the coming year is one in which most complex social, economic and moral questions will have to be solved, and, therefore, it is necessary to prepare for the great task.

He spoke of the raising of the young people, who were taught to think that the only condition of happiness and when they become disappointed they become pessimistic and, like anarchists.

"It is because of this tendency," said Mr. Reynolds, "that we need a religion to give a deep religious foundation to the young generation, and ideals that will sustain them at all times."

The greater part of the Jewish services in the city closed last evening at 6 o'clock and the temple B'nai Israel, beginning at 10 o'clock, and will consist of practically the same program as last evening.

Hoboes Sent Up.

The eight hoboes with whom the officers had a desperate fight near Bingham Junction Thursday night, were given a trial before Judge McKim at Murray yesterday upon charges of larceny. Upon the evidence introduced by the officers, the men were found guilty and sentenced to serve ninety days each in the county jail.

Sheriff Naylor and Deputy Maule transferred the prisoners to the county jail last evening. The men gave their names as James Day, John Gray, Tom Adams, John Morgan, T. P. Clark, James Daly, Charles Daniels and J. D. Ellis.

A Few Pointers.

The recent statistics of the number of deaths show that the large majority die with consumption. This disease may commence with an apparently harmless cough which gradually grows to a hacking cough, which is guaranteed to cure and relieve all cases. Price, 25c and 50c. Trial size free. For sale by Godde-Pitts Drug company.

Don't fail to order a case of Fisher's beer if you want something for home use that is sure to please you.

\$1 TO OGDEN AND RETURN

Via Rio Grande Western.

Special train leaves Sunday at 10 a. m. for Ogden. Return train leaves Ogden at 9 p. m. for Salt Lake. Salt Lake vs. Ogden. Bicycles free.

Our New Silk Hats are just right. THE SIEGEL CLOTHING CO.

## MRS. BURDETTE FILES SUIT FOR DIVORCE

Interesting Sequel to a Bingham Scandal.

## CHARGES OF CRUELTY

SAYS HUSBAND ACCUSED HER OF INFIDELITY.

The sequel to a scandal which stirred the town of Bingham early in July came yesterday in the filing in the district court by Gabriella Burdette, nee five, of a suit for divorce against her husband, William J. Burdette, a mining man of the camp. The complaint sets up that the marriage was solemnized in this city on July 9, 1897, and the cause of action alleged is cruelty. Numerous specific acts of cruelty are charged in the complaint, such as the defendant accusing plaintiff of criminal intimacy with Wallace McNell, chicken, and when they become disappointed they become pessimistic and, like anarchists.

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mentement of his wife's suit he had cohabited with her and that she had condoned the alleged offense against him that he had refused to support her and his five children. The plaintiff denied what her husband testified to, and the court postponed further hearing of the case until today.

Yesterday Deputy Clerk Eldridge heard the testimony in the default divorce case of Bessie B. Chrono against Vanner C. Chrono, whom she married in 1888. According to the testimony of the plaintiff the defendant has willfully failed to provide for the support of his wife and five children for several months past, making it necessary for her to run an ice cream parlor at Grantsville to make a living. The defendant is a sheepman and the referee will recommend that plaintiff be given a decree of divorce, the custody of her child and \$15 a month alimony.

In the case of Lyman T. Butterfield against his wife, Charlotte E. Butterfield, which was settled April 1, Judge Hall yesterday granted a modification of the decree of divorce by permitting the defendant to take her boy to Heber City for six weeks. The original decree required Mrs. Butterfield to keep the baby where the father could visit it at any time.

The divorce case of Lottie Kahn against Ferdinand Kahn was yesterday stricken from the calendar at the request of defendant's attorneys, so that the issues can be commenced anew or the pleadings amended.

District Court Notes.

T. R. Jones is suing the estate of the late E. F. Borgenmort in the district court to foreclose a mortgage of \$2,200 on residence property on South Temple street near Eighth East.

Judge Morris's attention was occupied again yesterday with the trial of the case of E. M. Cannon, trustee in bankruptcy for the creditors of Butterfield & Crane, against the Co-op Wagon & Machine company. At 4 o'clock, when the trial was near an end, word came of the death of the president and out of respect to the nation's chief executive was promptly adjourned for the day.

The application of John G. Felt to be appointed guardian of his two minor sons so that he can borrow money on a life insurance policy of \$2,500 in favor of the boys, was heard yesterday before Judge Hall and taken under advisement.

Funeral Notice.

The funeral of the late David G. Blackhurst will be held from the Farmers' ward meeting house at 12 o'clock Sunday, Sept. 15. The remains can be viewed at the residence from 9:30 to 11:30 on Sunday. Friends invited.

A Cup of Lane's Tea at Night

Moves the bowels next day, and its continued use will cure habitual constipation, sick headache and indigestion. It will do you more good and cost you less money than any other medicine on earth. Your druggist will refund you the purchase price if you are not satisfied. Price, 25c and 50c a package. For sale by Godde-Pitts Drug company.

Grand Opening 7 to 9 O'clock.

Auerbachs reopen their doors this (Saturday) evening. A souvenir to every lady. We invite you to visit us. F. AUERBACH & BRO.

The Davis Shoe company will be open today from 6 to 10 p. m. only.

The board of directors of the Utah Implement company have authorized the usual quarterly dividend of 2 1/2 per cent on the outstanding preferred stock, payable Oct. 1, 1901. The secretary will send a check by mail to each stockholder.

M. B. WHITNEY, Secretary.

Hello, Bill! I can, you can always enjoy a glass of Fisher's beer.

# ROYAL BAKING POWDER

ABSOLUTELY PURE

Makes the food more delicious and wholesome

ROYAL BAKING POWDER CO., NEW YORK.

## LABOR FEDERATION.

Committee to Draft Resolutions on President's Death.

The members of the Federated Trades union held a largely attended meeting at their hall last night and transacted considerable business. Among the features of the meeting was the appointment of a committee to draw up a set of resolutions on the death of President McKinley. The committee consists of R. G. Sleater of the Typographical union, Mr. East of the Cigar-makers' union, Richard Baker of the Bricklayers' union, Mr. Schumann of the Carpenters' union, and Daniel I. Elton of the Cigar-makers' union. The committee will meet tonight and draw up the resolutions.

The new union of Cooks and Waiters, which numbers about 200 members, was admitted to the federation.

R. G. Sleater was appointed press reporter, he being alone empowered to give information to the public.

The per capita fund, which heretofore has been fixed at 4 cents on each member, will, beginning Oct. 1, be reduced to 2 cents per capita, owing to the healthy condition of the treasury.

Several more organizations have made application to join the federation, and it is expected their applications will be acted on at the next regular meeting of that body.

VIKING LEAGUE MEETS.

Six Members and Four Visitors in Attendance.

An attempt was made by six members and four visitors last evening to increase the membership of the Viking League. During last fall's campaign the league boasted a membership of 700 Scandinavian Republicans, but now it is claimed that less than 100 are willing to be known as members. Last evening it was stated by President Matson that forty-three new members were added to the rolls, but only one of the new members, Charles Olson, was present.

A. S. Backman was elected recording secretary, to succeed Nels Forsberg, resigned, and Axel H. Steele was chosen to the chairmanship of the executive committee to serve during the coming city campaign.

Fred Lawson offered a resolution, which was adopted, deploring the expected death of President McKinley and condemning anarchy. Lawson made a speech, in which he said that if any member of the league knows of any anarchists in this city, the fact should be reported, so that the league could and feather them and run them out of town.

The league will meet again next Friday night.

A Dark and Muddy Complexion

Does not become a neat woman. Lane's Tea will cure constipation, clear up the skin, sharpen the appetite and make you look and feel like a new person. It acts gently upon the stomach and bowels. For sale by Godde-Pitts Drug company.

Grand Opening 7 to 9 O'clock.

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## STATE NEWS

FOUR YEARS FOR DRAPER.

Man Found Guilty of Attempted Rape Is Sentenced.

Manti, Sept. 12.—Judge Johnson today sentenced Edward C. Draper, who had been found guilty of assault with intent to commit rape upon the person of Florence Staker to four years in the penitentiary.

The case of B. C. Carroll was continued after the sentence of Draper, testimony being mostly for the defendant. Defendant and Mrs. Carroll were the only witnesses against the state. The stories were pretty nearly the same. Five witnesses for the state testified that defendant attempted and made threats to kill his wife. Mrs. Carroll showed nervousness and sobbed and cried, but not at any time did she testify to anything that would show her husband was a desperate man. The arguments in this case were commenced before noon.

ASYLUM COMMISSIONERS.

Regular Meeting of Board Held in Provo.

Provo, Sept. 12.—The insane asylum board met today with all members present. The medical superintendent reported the number of patients in the asylum July 21 as 24, and Aug. 31 as 20. Expenses aggregating \$4,450.32 were allowed. The treasurer's report showed a balance of \$100.50.

The following awards on bids were made: For beds, chairs, etc., for the insane asylum, H. Dinwoody & Co., Salt Lake City, \$200.45; for eighty-four white quilts, George Passey & Co., Salt Lake City, \$100.00.

Requisition was made on the state auditor for \$4,452.32.

Stolen Rig Recovered.

Provo, Sept. 12.—Sheriff Bezanet went up Provo canyon today and succeeded in arresting a fellow who gives his name as Harper Forsythe, with a horse and buggy and other things belonging to George Lee in his possession. The fellow offered no resistance. He is a halfbred Mexican, and says he has just come from

Texas. He gave no excuse for the theft except that he took the outfit with the view of selling it and using the proceeds to get to California on.

Died Without Attention.

Logan, Sept. 12.—Victor Linblad, a young man well known in this city, died this morning of typhoid fever, after an illness of about ten days, during which time he refused to send for medical aid. He was about 28 years of age and leaves a wife and one child.

Natives Are Satisfied.

Berlin, Sept. 12.—There is no foundation for the report that Dr. Wilhelm Solff, governor of German Samoa, has caused dissatisfaction among the natives. As a matter of fact, the relations between the governor and the islanders are excellent.

Up to 75c Ribbons—25c.

Ribbons that are 30c, 45c, 50c to 75c values, we bought to sell at one price—25c a yard. WALKERS' STORE.

Good Bread is just as necessary as good air. Use Royal Bread.

QUALITY is the key to the QUANTITY of an article used. More than twice as much HUSLER'S FLOUR used in 1900 as in 1890, and we are going to do better this year.



# ROYAL BREAD

Good Bread is just as necessary as good air. Use Royal Bread.

## QUALITY


Is the key to the QUANTITY of an article used. More than twice as much HUSLER'S FLOUR used in 1900 as in 1890, and we are going to do better this year.

# Outing Excursion

—TO—

## ALL POINTS NORTH

—VIA—



# Saturday, September 21.

RATES, TRAIN SERVICE, ETC., See Page Eight.

# WE ARE READY.

## The Transformation is Complete.

**Our Preparations Are Finished.**

**F. Auerbach & Bro.**

Stands Forth A Modern Up-to-Date Store

Demonstrating Anew Their Leadership in Successful Merchandising.

To Our Lady Visitors 3,000 Beautiful Souvenirs Given Away Free!

# GRAND RE-OPENING

This Evening at 7 O'Clock Sharp, the Doors of Salt Lake City's Most Popular Store Will Be Thrown Open and

## UTAH'S BEST TRADING MART

Will have commenced to make history once more. Everything new, except the old-time courtesy and honorable upright business methods, which have so endeared this good old store to the hearts of thousands of Salt Lake homes.

# And We Now Invite

All our old and new friends and patrons and the public in general to come and see what a grand store we've turned this into. What splendid facilities we have and what a superb stock of new and beautiful goods we are showing. EVERYBODY INVITED!

**Music** By **Christensen's Orchestra.**

No Goods Sold During Opening Hours.